

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
PUBLIC HEARING
OCTOBER 7, 2002
5:45 P.M.**

(Proposed Text Amendment Z-02-10)

Pursuant to notice duly advertised and posted, the Brunswick County Board of Commissioners conducted a Public Hearing on the above date at 5:45 p.m., Commissioners' Chambers, Public Assembly Building, County Government Center, Bolivia, North Carolina.

PRESENT: Commissioner Donald E. Warren, Chairman
Commissioner May W. Moore, Vice Chairman
Commissioner David R. Sandifer
Commissioner Tom B. Rabon, Sr.
Commissioner William M. Sue

STAFF: Marty K. Lawing, County Manager
Steve Stone, Assistant County Manager
Huey Marshall, County Attorney
Mark Seagle, Assistant County Attorney
Debby Gore, Clerk to the Board
Margie Stephenson, Deputy Clerk
Lithia E. Brooks, Director of Fiscal Operations

I. CALL TO ORDER

Chairman Warren called the Public Hearing to order at 5:45 p.m., and announced that the purpose of the Public Hearing was to receive public comments concerning the proposed Text Amendment Z-02-10.

Leslie Bell, Planning Director, explained the following:

Item 1 (Z342 - Thurman Gause)

Item 1 is a map amendment initiated by the property owner. This change from R-7500 (Low Density Residential) to C-LD (Commercial Low Density) would allow for commercial use of the property for a portion of Tax Parcel 22700010 ([16.92 acres] requested by the applicant) and all of Tax Parcels 2270001001 (2.57 acres), 22700018 (1 acre), 2270001801 (.34 acres), 22700019 (1 acre), 2270002001 (2 acres), 22700021 (2 acres) and 22700022 (8.5 acres) which are added by staff beginning approximately 2840 feet north of the northeast quadrant of Seaside Road (NC 904) and Old Georgetown Road (SR 1163) and continuing approximately 1650 feet north fronting Seaside Road. These parcels total 34.33 acres.

Planning Staff recommends approval.
Planning Board recommends approval.

Item 2 (Z-343 – Mark Giordano)

The Planning Director explained that Item 2 was withdrawn by the applicant.

Item 3 (Z-344 – Brunswick County Solid Waste and Recycling)

Item 3 is a map amendment initiated by the property owner. This change from RU (Rural) to H-M (Heavy Manufacturing) would allow for heavy manufacturing use of the property for Tax Parcels 15200045 (136.34 acres) and 1520004401 (10.13 acres) beginning approximately 3250 feet west of Landfill Road and Galloway Road NE (SR 1401) and continuing for 770 feet fronting Landfill Road. These parcels total 146.47 acres.

Planning Staff recommends approval.

Planning Board recommends approval on Item 1 and 3 (unanimous 7 to 0).

II. PUBLIC COMMENTS

Chairman Warren asked if any members of the audience wished to address the Board of the proposed amendment. There were no comments from the audience.

III. ADJOURNMENT

Commissioner Sandifer moved to adjourn the Public Hearing at 5:52 p.m. The vote of approval was unanimous.

Donald E. Warren, Chairman

Deborah (Debby) Gore, Clerk to the Board

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
PUBLIC HEARING
OCTOBER 7, 2002
6:15 P.M.
(Half-Cent Local Options Sales Tax)**

Pursuant to notice duly advertised and posted, the Brunswick County Board of Commissioners conducted a Public Hearing on the above date at 6:15 p.m., Commissioners' Chambers, Public Assembly Building, County Government Center, Bolivia, North Carolina.

PRESENT: Commissioner Donald E. Warren, Chairman
 Commissioner May W. Moore, Vice Chairman
 Commissioner David R. Sandifer
 Commissioner Tom B. Rabon, Sr.
 Commissioner William M. Sue

STAFF: Marty K. Lawing, County Manager
 Steve Stone, Assistant County Manager
 Huey Marshall, County Attorney
 Mark Seagle, Assistant County Attorney
 Debby Gore, Clerk to the Board
 Margie Stephenson, Deputy Clerk
 Lithia E. Brooks, Director of Fiscal Operations

I. CALL TO ORDER

Chairman Warren called the Public Hearing to order at 6:15 p.m., and announced that the purpose of the Public Hearing was to receive public comments concerning the Half-Cent Local Option Sales Tax.

II. PUBLIC COMMENTS

Chairman Warren asked if any members of the audience wished to address the Board of the proposed amendment.

1. Lee Weddig of the Alliance of Brunswick Property Owners Association stated that the Association had previously supported the Local Option Sales Tax but the situation had now changed. Mr. Weddig urged the Board to add the Sales Tax funds to Fund Balance.

2. James Hardy requested that the Board make their own decisions and not be influenced by outside sources.

There were no other comments from the audience.

III. ADJOURNMENT

Commissioner Sandifer moved to adjourn the Public Hearing at 6:28 p.m. The vote of approval was unanimous.

Donald E. Warren, Chairman

Deborah (Debby) Gore, Clerk to the Board

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
REGULAR MEETING
OCTOBER 7, 2002
6:30 P.M.**

The Brunswick County Board of Commissioners met in Regular Session on the above date at 6:30 p.m., Commissioners' Chambers, Public Assembly Building, County Government Center, Bolivia, North Carolina.

PRESENT: Commissioner Donald E. Warren, Chairman
Commissioner May Moore, Vice-Chairman
Commissioner David Sandifer
Commissioner Tom B. Rabon, Sr.
Commissioner William M. Sue

STAFF: Marty K. Lawing, County Manager
Steve Stone, Assistant County Manager
Huey Marshall, County Attorney
Mark Seagle, Assistant County Attorney
Debby Gore, Clerk to the Board
Margie Stephenson, Deputy Clerk
Lithia E. Brooks, Fiscal Operations Director

I. CALL TO ORDER

Chairman Warren called the meeting to order at 6:30 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE

Commissioner Sue gave the Invocation and led the Pledge of Allegiance.

III. ADJUSTMENTS/APPROVAL OF AGENDA

Chairman Warren asked if there were any adjustments to the agenda. The following adjustments were made:

1. The County Manager requested to delete Administrative Report Item 3.
2. Commissioner Rabon requested to add the District 4 appointment to the Brunswick Senior Resources Inc. Board.

Commissioner Sandifer moved to approve the agenda with the adjustments included. The vote of approval was unanimous.

IV. PUBLIC COMMENTS

Chairman Warren asked if there was anyone in the audience who wished to speak regarding any item on the agenda or any matter that was not included in the agenda. The following citizens addressed the Board:

1. Gail Register introduced Ashley Cox, Miss Brunswick County 2002 addressed the Board and thanked them for their continued support and gave an update of her travels representing Brunswick County.
2. Lewis McLamb addressed the Board with concerns of the private dance club near Thomasboro and questioned why a daycare center and church group was denied access to the property. Mr. McLamb was directed to discuss this with the Environmental Health Department regarding septic tank permits for daycare and churches.

V. APPROVAL OF CONSENT AGENDA

Commissioner Sue moved to approve the Consent Agenda. The vote of approval was unanimous.

The following items were approved:

A. Minutes

1. Regular Meeting Minutes of September 3, 2002
2. Public Hearing Minutes of September 16, 2002 (6:15 p.m.)
3. Regular Meeting Minutes of September 16, 2002
4. Public Hearing Minutes of September 25, 2002
5. Sewer Workshop Minutes of September 25, 2002
6. Called Meeting Minutes of September 27, 2002

B. Finance – FY 2001-2002 Budget Amendments (Exhibit Book 31, Attachment #1)

We are in receipt of the following FY 2002-2003 budget amendment requests:

1) Department of Social Services

- | | |
|----------------------|------------------------------------------|
| a) \$6,258 Increase | Crisis Intervention State Revenue |
| b) \$10,000 Increase | Family for Kids State Revenue |
| c) \$98,000 Increase | State Adoption Assistance - Fund Balance |

Items a) and b) above represents additional state revenue approved for the referenced programs. Item c) represents state revenue received in FY 01-02 for the state adoption assistance program that is restricted to be used in this program. County funds are not involved.

2) Operation Services

- | | |
|--------------------|-----------------------------|
| \$300,000 Increase | County Capital Reserve Fund |
|--------------------|-----------------------------|

As you will recall, this appropriation was included as a part of the 5-year Capital Improvement in the FY 2002-2003 Budget Ordinance. This appropriation was made in the County Capital Reserve fund, specified for the Old Courthouse building renovation.

This amendment will move this appropriation into the Operation Services department located General fund. We have begun the process of renovating this building. Additional county funds are not involved.

We are in receipt of the following request to adopt the 2002 Waterline Capital Project Ordinance:

3) 2002 Waterline Capital Project Ordinance

\$531,060 Increase

County Capital Reserve Fund

As you will recall, the above referenced capital project was included in the 5 year Capital Improvement Plan accepted by you with your adoption of the FY 2002-2003 Budget Ordinance. Adoption of this Capital Project Ordinance will allow for the project to begin. This project includes water line design and installation for Coastal Retreat, Riverside II & III and Dale Avenue. Additional county funds are not involved.

C. **Resolution of Support for Improvements to Long Beach Road**

Request approval of Resolution of Support for Long Beach Road Improvements.
(Exhibit Book 31, Attachment #2)

**RESOLUTION SUPPORTING
IMPROVEMENT TO LONG BEACH ROAD
(NC 133)**

WHEREAS, traffic congestion has become a serious problem on Long Beach Road, and

WHEREAS, the reduction of traffic congestion is desirable, and

WHEREAS, the North Carolina Department of Transportation has plans to extend the turn lane for northbound traffic on Long Beach Road turning right on NC 211 towards Southport, and

WHEREAS, it is believed that this will help the flow of vehicular traffic at and near the intersection.

Now, be it resolved by the Brunswick County Board of Commissioners that we do support the aforementioned extension of the right-turn lane on NC 133 as a way to improve traffic flow in the area.

This is the 7th day of October 2002.

s/Don Warren, Chairman

BRUNSWICK COUNTY COMMISSIONERS

ATTEST:

s/Deborah S. (Debby) Gore

Clerk to the Board

D. Proclamation of Domestic Violence Day

Request approval of Proclamation of Domestic Violence Day in Brunswick County.
(Exhibit Book 31, Attachment #3)

**PROCLAMATION OF THE BRUNSWICK COUNTY BOARD OF COMMISSIONERS
DESIGNATING
OCTOBER 20, 2002 AS DOMESTIC VIOLENCE AWARENESS DAY**

The Brunswick County Board of Commissioners in session, duly assembled on October 7, 2002 do hereby proclaim as follows:

THAT WHEREAS, physical abuse against a spouse is the most unreported crime in our nation due to societal attitudes which discourage abused persons from seeking assistance and protection; and

WHEREAS, battery is the major cause of injury to women in our nation, more significant in occurrence than street rape, mugging or automobile accidents; and

WHEREAS, 95% of the victims of domestic violence are women, with this abuse occurring among all races, ages, educational and socio-economic groups; and

WHEREAS, every 8 seconds a woman is physically assaulted in her home and some 2,000 to 4,000 women are beaten to death annually; and

WHEREAS, more than 50% of women are battered at some time in their life and more than one third of these women are battered repeatedly; and

WHEREAS, in response to this national problem there are currently more than 1,200 shelters, crisis lines and safe home networks established to offer women and children safety, advocacy and support services; and

WHEREAS, in Brunswick County, the Hope Harbor Home, a non-profit organization, opened its doors in April 1988 as a permanent shelter to provide a safe haven from violence and serve as a community focal point from which to educate the Brunswick County community as to issues relating to domestic violence; and

WHEREAS, Hope Harbor Home, during the year of 2001, served 501 women, 12 men and 130 children and a total of 884 beds provided and 2,583 meals were served; and

WHEREAS, Hope Harbor Home is staffed by dedicated professionals and community volunteers who give long hours of service to counseling, advocacy and education on behalf of battered and abused women and children in Brunswick County; and

WHEREAS, these efforts and activities enhance the quality of life in Brunswick County and every effort should be made to recognize these individuals and the issue about which they involve themselves;

NOW, THEREFORE, the Brunswick County Board of Commissioners does hereby proclaim Sunday, October 20, 2002 to be **"Domestic Violence Awareness Day in Brunswick County"** and salutes the activities of the Hope Harbor Home and its staff of professionals and volunteers and urges all Brunswick County citizens to educate themselves on the issue of domestic violence so as to become more sensitive to the local aspects of this national tragedy.

This is the 7th day of October 2002.

s/Don Warren, Chairman

BRUNSWICK COUNTY COMMISSIONERS

ATTEST:

s/Debby Gore, Clerk to the Board

- E. **Work First County Plan**
Request approval of 2003-2005 Work First County Plan.
(Exhibit Book, Attachment # 4)

VI. PRESENTATIONS

1. e-NC Grant Awards (Cynthia Tart)
2. Pesticide Spraying (Gean Seay) (Exhibit Book 31, Attachment # 5)

VII. ADMINISTRATIVE REPORT

1. Planning – Map Amendment Z-02-10– (Leslie Bell)

Staff recommends that the Board of Commissioners consider approving Second Reading and adoption of Map Amendment Z-02-10.

Leslie Bell, Planning Director, explained that Item 2 was withdrawn by the applicant and requested adoption of Items 1 & 3 of the Map Amendment Z-02-10.

Vice-Chairman Moore moved to approve Second Reading and adoption of Items 1 & 3 of Map Amendment Z-02-10. The vote of approval was unanimous. (Exhibit Book 31, Attachment #6)

2. Planning – Map Amendment Z-02-11 – (Leslie Bell)

Staff recommends that the Board of Commissioners consider approving First Reading and set a Public Hearing date of November 4, 2002 at 6:00 p.m. for Map Amendment Z-02-11.

Commissioner Sue moved to approve First Reading and set a Public Hearing for November 4, 2002 at 6:00 p.m. The vote of approval was unanimous. (Exhibit Book 31, Attachment #7)

3. County Short-Term Disability Benefit – (Starie Grissett)

(deleted under Adjustments to the Agenda)

Staff recommends that the Board of Commissioners consider deleting the county paid Short-Term Disability Benefit due to the high cost and offer a voluntary employee paid Short-Term Disability Benefit. Staff also recommends that the County continue the Long-Term Disability Benefit with no increase in premium. (Exhibit Book 31, Attachment #8)

4. Courtroom Technology – (Rex Gore)

Staff recommends that the Board of Commissioners consider entering into a contract with CX Corporation for courtroom technology services and approving the appropriate budget amendment.

Commissioner Sue moved to approve entering into a contract with CX Corporation for courtroom technology services and the appropriate budget amendment. The vote of approval was unanimous. (Exhibit Book 31, Attachment #9)

5. Courthouse Security – (Tony Cummings)

Staff recommends that the Board of Commissioners consider approving the purchase of eighteen video cameras for security at the new Courthouse and the appropriate budget amendment.

Commissioner Sue moved to approve expenditures for the Courthouse Security Cameras with a maximum of \$80,300 and the appropriate budget amendment. The vote of approval was unanimous. (Exhibit Book 31, Attachment #10)

6. Sewer Treatment and Collection Transition Plan – (Lee Smith)

Staff recommends that the Board of Commissioners consider approving the proposed plan to transition into sewer treatment and collection in St. James Plantation and Winding River Plantation and the appropriate budget amendment.

Commissioner Sue moved to approve the proposed plan to transition into sewer treatment and collection in St. James Plantation and Winding River Plantation and the appropriate budget amendment. The vote of approval was unanimous. (**Exhibit Book 31, Attachment #11**)

7. Wastewater Maintenance Agreement – (Lee Smith)

Staff recommends that the Board of Commissioners consider approving the grinder pump maintenance agreement with Plantation Services and the service agreement with St. James Property Owners Association.

Commissioner Sandifer moved to approve the grinder pump maintenance agreement with Plantation Services and the Service Agreement with St. James Property Owners Association. The vote of approval was unanimous. (**Exhibit Book 31, Attachment #12**)

8. West Waste Water Land Acquisition – (Jeff Phillips)

Staff recommends that the Board of Commissioners consider acquiring two tracts of land for the purpose of constructing the West Waste Water Treatment Facility on Highway NC 211 near Supply and a land application site on Galloway Road near Bolivia and the appropriate budget amendment.

Vice-Chairman Moore moved to table the West Waste Water Land Acquisition and gave direction to the Fiscal Operations Director to prepare a cost analysis of this issue. The vote of approval was unanimous. (**Exhibit Book 31, Attachment #13**)

9. Waterline Contracts – East Coast Engineering – (Jeff Phillips)

Staff recommends that the Board of Commissioners consider approving a contract with East Coast Engineering for design and construction cost estimates for waterlines for three subdivisions (Coastal Retreat, Riverside II and III and Dale Avenue) and the appropriate budget amendment.

Jeff Phillips, Engineering Director, pointed out that costs should not exceed \$95,500 for the Waterline Contracts.

Commissioner Sandifer moved to approve the contract with East Coast Engineering for Coastal Retreat, Riverside II and III and Dale Avenue and the appropriate budget amendment. The vote of approval was unanimous. (**Exhibit Book 31, Attachment #14**)

10. E-NC Project Grant Agreements – (Steve Stone)

Staff recommends that the Board of Commissioners consider authorizing the County Manager to execute two grant agreements with the NC Rural Center to expand public internet access in conjunction with the library system and for digital literacy (i.e., computer and internet usage) training for the general public.

Commissioner Sandifer moved to authorize the County Manager to execute the two grant agreements with the NC Rural Center to expand public Internet access in conjunction with the Library system. The vote of approval was unanimous. (**Exhibit Book 31, Attachment #15**)

VIII. BOARD APPOINTMENTS

1. Brunswick County Tourism Development Authority (2 appointments, Districts 1 & 2)

Chairman Warren nominated Frank Williamson Jr. Commissioner Sandifer nominated Bonnie Cox. Commissioner Sue moved to close the nominations. The vote of approval was unanimous. Commissioner Sue moved to approve the appointment of Frank Williamson Jr. and Bonnie Cox. The vote of approval was unanimous. Mr. Williamson was re-appointed and will serve a three-year term that will expire October 1, 2005. Ms. Cox will fill the expired term of Jimmy Hobbs. That term will expire October 1, 2005.

2. Nursing Home and Adult Care Home Community Advisory Committee (1 at-large appointment)

Vice-Chairman Moore nominated Rosemary Chachowski. Commissioner Sandifer moved to close the nominations. The vote of approval was unanimous. Commissioner Sandifer moved to approve the appointment of Rosemary Chachowski. The vote of approval was unanimous. Ms. Chachowski will fill the unexpired term of M. J. Goff (resigned) that will expire July 1, 2003.

3. Brunswick Senior Resources Inc. (added under Adjustments to the Agenda)

Commissioner Rabon nominated Dorothy Worth. Commissioner Sandifer moved to close the nominations. The vote of approval was unanimous. Commissioner Sandifer moved to approve the appointment of Dorothy Worth. The vote of approval was unanimous. Ms. Worth will serve a one-year term that will expire July 1, 2003.

IX. COUNTY ATTORNEY REPORT

1. Proposed acoustical survey for a Noise Ordinance for Brunswick County.

The County Attorney explained that in his opinion, a performance standard is unnecessary at this time and citizens can be adequately protected with a general noise ordinance and asked for approval to enter into a contract with Stewart Acoustical Consultants for taking sample readings and working with Staff to create a new general Noise Ordinance.

Commissioner Sue moved to approve \$7,000 for (1) Brief measurements at about a half-dozen locations on one day and (2) Development of a general Noise Ordinance. The vote of approval was unanimous. **(Exhibit Book 31, Attachment #16)**

2.Half cent local

The County Attorney explained that Counties might enact the new sales tax at any time by Resolution of the Board; however, the new local option sales tax cannot become effective before December 1, 2002.

Commissioner Sue moved to approve the Resolution Levying the Third One-Half Cent Local Government Sales and Use Tax. The vote of approval was unanimous.

3.Closed Session

Chairman Warren moved to enter Closed Session pursuant to NCGS 143-318.10 (a) (3) & (6), personnel and pending litigation. The vote of approval was unanimous.

X. OTHER BUSINESS/FORMAL DISCUSSION

Chairman Warren announced that no action was taken in Closed Session.

XI. ADJOURNMENT

Vice-Chairman Moore moved to adjourn the Regular Meeting at 8:15 p.m. The vote of approval was unanimous.

Donald E. Warren, Chairman

Deborah (Debby) Gore, Clerk to the Board